



# Wylie City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda March 08, 2011 – 6:00 pm Wylie Municipal Complex – Council Chambers 300 Country Club Road, Building #100

Eric Hogue..... Mayor  
M. G. “Red” Byboth ..... Mayor Pro Tem  
David Goss ..... Place 1  
Kathy Spillyards ..... Place 3  
Bennie Jones ..... Place 4  
Rick White ..... Place 5  
Carter Porter ..... Place 6

Mindy Manson..... City Manager  
Richard Abernathy ..... City Attorney  
Carole Ehrlich ..... City Secretary

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972-516-6020.*

### CALL TO ORDER

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*Announce the presence of a Quorum.*

### INVOCATION & PLEDGE OF ALLEGIANCE

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### PRESENTATION

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- **Presentation of 4<sup>th</sup> 6 weeks Star Students – Character Trait: Trustworthiness.**
- **Presentation of Proclamation acknowledging Telecommunication Week.**

### CITIZENS COMMENTS ON NON-AGENDA ITEMS

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*Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or takes action on any matter presented during citizen participation.*

## CONSENT AGENDA

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*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. Consider, and act upon, approval of the Minutes of the February 22, 2011 Regular Meeting of the Wylie City Council & the Minutes of the March 1, 2011 Work Session. (C. Ehrlich, City Secretary)**
- B. Consider, and place on file, the Monthly Revenue and Expense Report for the Wylie Economic Development Corporation as of January 31, 2011. (S. Satterwhite, Executive Director, WEDC)**
- C. Consider, and act upon, Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. (R. Ollie, Planning Director)**
- D. Consider, and act upon, Ordinance No. 2011-07 amending PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback with the purpose of increasing the width of the main collector road into the subdivision and to delete 0.9 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. ZC 2011-02 (R. Ollie, Planning Director)**
- E. Consider, and act upon, Ordinance No. 2011-08 amending Ordinance No. 2011-04 and Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates). (C. Holsted, City Engineer)**

## REGULAR AGENDA

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### General Business

- 1. Consider, and act upon, Ordinance No. 2011-09 amending Ordinance No. 2010-17 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on January 21, 2011 for fiscal year 2010-2011. (S. Satterwhite, Executive Director, WEDC)**

#### Executive Summary

On November 22, 2010 WEDC staff received confirmation that funds had been wired to ANBTX from Ascend Custom Extrusions, LLC for the benefit of the WEDC. The fund amounts were \$500,000 and \$139,250 which were then deposited into the General Funds for the City of Wylie.

## READING OF ORDINANCES

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*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

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**EXECUTIVE SESSION**

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*Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:*

**§§ 551.071 – Consultation with Attorney**

Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

- **Receive legal advice regarding the Development Agreement by and between the City and Lavon Partners, L.P.**

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**RECONVENE INTO REGULAR SESSION**

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**General Business**

2. **Consider and act upon authorizing the City Manager to execute a Development Agreement by and between the City of Wylie and Lavon Partners, L.P. (M. Manson, City Manager)**

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**ADJOURNMENT**

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**CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this 4th day of March 2011 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Carole Ehrlich, City Secretary**

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**Date Notice Removed**



# Wylie City Council

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## Minutes

### Wylie City Council Meeting

Tuesday, February 22, 2011 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

### CALL TO ORDER

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*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:00 p.m. with the following Wylie City Council members present: Mayor pro tem Red Byboth, Councilwoman Kathy Spillyards, Councilman Carter Porter, Councilman Rick White, and Councilman David Goss. Councilman Bennie Jones arrived at 6:29.

Staff present were: Assistant City Manager, Jeff Butters; Planning Director, Renae' Ollie; Fire Chief, Randy Corbin; Police Chief, John Duscio; WEDC Executive Director, Sam Satterwhite; Public Services Director, Mike Sferra; Library Director, Rachel Orozco; Human Resource Manager, Lynn Fagerstrom; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly, and various support staff.

### INVOCATION & PLEDGE OF ALLEGIANCE

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Mayor pro tem Byboth gave the invocation and Police Chief John Duscio led the Pledge of Allegiance.

### PRESENTATION

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- **Proclamation for Honorary Mayor Joshua Simms**

Mayor Hogue introduced Joshua Simms a student at Dodd Elementary. He explained that Joshua had won "Mayor for a Day" by out bidding all other students for that designation. Funds are raised each year for the Fall Festival through donations and bids by Dodd students and parents. Mayor Hogue read a proclamation in Joshua's honor as Mayor for the Day and Honorary Mayor Simms presided over the meeting along with Mayor Hogue.

- **Milestone Employee Anniversaries for Chris Taylor, Ernest Mendez & Kevin England.**

Mayor Hogue presented plaques to Wylie City Employees:

Chris Taylor – 10 years of service

Ernest Mendez – 15 years of service

Kevin England – 10 years of service

## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or takes action on any matter presented during citizen participation.*

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Bobby Heath, residing at 205 Arborview, Wylie, and representing the Downtown Merchants, addressed council stating that funding was still being raised for the July Jubilee scheduled for the downtown area this year.

## **CONSENT AGENDA**

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*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

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- A. Consider, and act upon, approval of the Minutes of the February 8, 2011 Regular Meeting of the Wylie City Council. (C. Ehrlich, City Secretary)
- B. Consider, and act upon, approval of the Minutes of the February 12, 2011 Special Called Council Retreat. (C. Ehrlich, City Secretary)
- C. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Reports as of January 31, 2011. (L. Bantz, Finance Director)
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for January 31, 2011. (L. Bantz, Finance Director)
- E. Consider, and act upon, approval of a Final Plat creating four (4) lots on 260.08 acres, generally located north of FM 544, south of FM 3412 (Brown Street), and east and west of FM 1378 (Country Club Drive). (R. Ollie, Planning Director)

## **Council Action**

A motion was made by Councilman White, seconded by Councilman Porter to approve the consent agenda as presented. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

## **REGULAR AGENDA**

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### **General Business**

#### **Tabled from 02-08-2011:**

Motion to remove from table and consider:

Minutes February 22, 2011

Wylie City Council

Page 2

### **Council Action**

A motion was made by Mayor pro tem Byboth, seconded by Councilwoman Spillyards to remove consideration of Ordinance No. 2011-04 from the table and consider. A vote was taken and the motion passed 6-0 with Councilman Jones absent.

1. **Consider, and act upon, Ordinance No. 2011-04 amending Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates).** (*C. Holsted, City Engineer*)

### **Staff Comments**

City Engineer Holsted addressed council stating that on December 14, 2010 Council held a work session to discuss the water and sewer rate study prepared by McLain Decision Support Systems. The study incorporated the water and sewer capital improvements plan (CIP), outstanding debt service, the proposed wholesale water rate increases from the North Texas Municipal Water District, the transfer to the general fund, and the expansion of the Public Works Service Center.

Holsted explained that an approximately 5.3% increase per year over the next five years was proposed in the rate study (Financing Scenario 2). The proposed ordinance incorporates these recommendations into the water and sewer rates for FY 2011.

### **Council Action**

A motion was made by Councilman White, seconded by Councilman Porter to adopt Ordinance No. 2011-04 amending Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates). A vote was taken and the motion passed 6-0 with Councilman Jones absent.

Councilman Jones arrived at 6:29 p.m.

### **Presentations:**

**Presentation by the firms of Land Design Partners-DFW, Inc. and Teague Nall and Perkins, Inc. for professional services related to the Neighborhood Parks Master Plan and Trails Master Plan.** (*M. Sferra, Public Services Director*)

Public Services Director Sferra introduced representatives from Land Design Partners-DFW and Teague Nall and Perkins, Inc. Each firm provided presentations for each of the two proposals.

2. **Consider, and act upon, ranking the finalist design firms and authorizing the City Manager to negotiate a contract beginning with the top-ranked firm(s) for the Neighborhood Parks Master Plan and Trails Master Plan.** (*M. Sferra, Public Services Director*)

### **Staff Comments**

Public Services Director Sferra addressed council stating that staff is requesting council to rank the design firm finalists in the order of preference. Should the City Council select a design firm for each project, then the City Manager will initiate negotiations relative to scope, services, fees, and payment

schedules with the top-ranked firm for each project. If a tentative agreement is reached, then the City Manager will return with a contract for City Council consideration and possible action. If a tentative agreement cannot be reached with the top ranked firm, then negotiations will begin with the second ranked firm, until a tentative agreement can be reached and a contract can be brought to the City Council.

### **Council Discussion**

Councilman Porter noted that he was impressed with the proposal by Teaque, Nall and Perkins, Inc., to think outside the box regarding the Neighborhood Parks Master Plan and the Site A Park into the possible expansion of the park by collaborating with North Texas Municipal Water District and the Corp of Engineers, and the expansion of Site B in collaborating with the HOA in that area. Councilman Goss commented that he liked the extensive knowledge of Land Design, Inc. with regard to their experience with White Rock Lake Trails. Councilwoman Spillyards commented that she agreed with both council members and was very impressed with the work done at White Rock Lake Trails by Land Design Partners-DFW.

### **Council Action**

A motion was made by Councilman Goss, seconded by Councilman Jones to rank Teaque Nall and Perkins, Inc. first for the Neighborhood Parks Master Plan and Land Design Partners-DFW first for the Trails Master Plan and authorize the City Manager to negotiate a contract beginning with the top-ranked firms for the Neighborhood Parks Master Plan and the Trails Master Plan. A vote was taken and the motion passed 7-0.

### **Public Hearing**

3. **Hold a Public Hearing and consider, and act upon, an amendment to PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback with the purpose of increasing the width of the main collector road into the subdivision and to delete 0.9 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. ZC 2011-02**  
*(R. Ollie, Planning Director)*

### **Staff Comments**

Planning Director Ollie addressed council stating that the subject tract was part of a Planned Development approved on March 27, 2001 in order to develop a master planned residential community. A Preliminary Plat has since expired and will be resubmitted in the near future pending approval of the subject PD Amendment. The intent of the amendment is to increase the main north/south route to a collector street and to add alleys to prevent any direct driveway access onto the collector. With these proposed additions, the applicant cannot meet the language of PD 2000-22B that requires all garages to be side-loaded and a minimum front yard setback of 30 feet for Tract A lots and 35 feet for Tract B lots. The owner/applicant is requesting that the front yard minimum setback be reduced to 25' for Tract A lots, and 30' for Tract B lots. The requested reduction is in conformance with the current SF-10/24 zoning district front building line of 25'.

Ollie noted that in addition, the applicant has removed the clause that All garage doors shall be side loaded except if minimum 25 feet behind the front building line. Front load garage allowed on side street corner lot. However, no dwelling will have a garage door that faces the main collector street. The typical lot size for Tract "A" lots increases from 10,000 s.f. to 10,200 s.f., and the typical lot size for all Tract "B" lots has a minimal decrease from 12,690 s.f. to 12,502 s.f.

The owner/applicant is dedicating 17 acres of parkland to the City and 2.5 acres to be owned and maintained by the HOA. This item was submitted to the Parks Board and was subsequently approved

with the understanding that the developer will install improvements in the proposed parkland, and dedicate additional parkland located south of the development to Wylie, and will work in good faith with the Cities of Parker and Wylie to establish a connection through Parker to connect two trail segments located in Wylie. The Planning and Zoning Commission voted 7-0 to recommend approval.

**Gary DeFrain** (applicant) addressed council stating that he had submitted the original Planned Development back in 2000. The proposed changes in the proposed Planned Development directly come from a review of the original plat. In reviewing the plat that was approved in 2001 he realized the road was going to be a problem. The road has a 50 foot right of way. If cars are parked on both side of the street, there is room for traffic flow only one way. The intent in this proposal was to correct that width of road to 65 feet; however, in doing so alleys had to be included to allow parking in the back of the properties aligning this roadway. To correct the additional area to accommodate the wider road and alleyways, the lot sizes had to be a little bit wider and a little bit shorter. In addition the lot pads had to accommodate the builder thus the building line was moved from 30 feet to 25 feet.

### **Public Hearing**

Mayor Hogue opened the public hearing for Zoning Case 2011-01 at 7:40 p.m. asking anyone wishing to address council on this zoning case to come forward and limit their comments to three minutes.

No one was present to address council.

Mayor Hogue closed the public hearing at 7:40 p.m.

### **Council Discussion**

Councilman Goss asked about the topography of the park land dedication. Ms. Ollie reported that some of the area was in the flood plain but 17 acres were usable land. The Park and Recreation Board did approve the proposal for parkland dedication. Councilmember Porter had concerns regarding the minimum of 1" trees with a maximum of 6" caliber per lot. He noted that he would like to include a revision that required all trees to be at least 3" caliber. Councilman Porter asked if the 6 foot fence would allow for enough screening for residents backing to Parker Road. He noted that he would like to see an 8 foot fence along that roadway. Mr. DeFrain explained the plan also included vegetation that would be higher than the 6 foot fence along Parker Road and would further assist with the property/road screening.

### **Council Action**

A motion was made by Mayor pro tem Byboth, seconded by Councilwoman Spillyards to approve an amendment to PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback with the purpose of increasing the width of the main collector road into the subdivision and to delete 0.9 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. ZC 2011-02, and it include the following: "Trees with a minimum of 6 inch total in diameter shall be installed in the front yard, this may be accomplished by one 6 inch tree or multiple trees that add up to 6 inches in diameter, with no tree being smaller than 3 inches in caliper." A vote was taken and the motion passed 7-0.

- 4. Hold a Public Hearing and consider, and act upon, an amendment to Sections 2.09 & 2.10 of Ordinance 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. ZC 2011-01 (R. Ollie, Planning Director)**

### **Staff Comments**

Planning Director Ollie addressed council stating that the subject property is part of the larger mixed use Woodbridge Planned Development (PD 98-15), which consists of single-family residential of varying densities, multifamily residential, a golf course, parks, commercial, a school site, and common open spaces. The entire Planned Development is 921 acres in size, of which approximately 409 acres and 1,650 single-family lots of the PD are located within the Sachse city limits. The portion of the PD located within the Wylie city limits is approximately 512 acres in size and includes a golf course, a school site, common and public open spaces, and approximately 980 single-family residential lots (SF-5.5, SF-7.2 and SF-8.4).

Ollie explained that the intent of the subject amendment is to allow for a minimum lot size of 5,500 sq. ft. in order to provide for an increase in the minimum dwelling size from 1,600 s.f. to 1,800 s.f. on the remaining 24.381 acres. The subject tract is south of Woodbridge Phases 10D & 9, and located both within Dallas & Collin Counties. This amendment would only affect those lots platted after the approval date of this amendment.

She reported that the currently approved PD Conditions set forth the development design standards of the subdivision. The original conditions for the subject tract allow for a minimum lot size of 8,400 s.f., whereas the proposed amendment would allow lot sizes of 5,500 s.f. Ollie reported with no questions for staff or the applicant and no questions from the audience, the Planning and Zoning Commission voted 7-0 to recommend approval.

### **Public Hearing**

Mayor Hogue opened the public hearing for Zoning Case 2011-02 at 8:00 p.m. asking anyone wishing to address council on this zoning case to come forward and limit their comments to three minutes.

No one was present to address council.

Mayor Hogue closed the public hearing at 8:00 p.m.

**Don Herzog** (applicant), 800 E. Campbell Road, Suite 130, Richardson, TX 75081, addressed council showing a short presentation of his proposal. He requested the smaller lot size and larger home size to accommodate buyers and builders requesting this range of housing. He stated "the trend of today's homebuyer is not to invest in larger lots but to invest in larger homes that are designed to accommodate their lifestyles." He also requested revising the lots to 120 feet in depth and 50 feet wide for 80% of the proposed lots.

Councilman Goss asked Mr. Herzog if he was losing any lots due to the proposed changes. Mr. Herzog replied he was gaining 10 to 15 lots in this zoning change.

### **Council Action**

A motion was made by Councilman Porter, seconded by Councilwoman Spillyards to approve an amendment to Sections 2.09 & 2.10 of Ordinance 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 square feet to 1,800 square feet and to allow a minimum lot size of 5,500 square feet Zoning Case 2011-01. A vote was taken and the motion passed 6-1 with Mayor Hogue, Mayor pro tem Byboth, Councilwoman Spillyards, Councilman White, Councilman Porter and Councilman Jones voting for and Councilman Goss voting against.

5. **Consider, and act upon, Ordinance No. 2011-05; amending Ordinance No. 2009-12 (consolidated fees and charges/fee schedule ordinance). Exhibit "A";, Section VIII(A)(Library Fees); Amending fax fees and interlibrary loan request fees; Adopting meeting room fees, providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption of this Ordinance. (R. Orozco, Library Director)**

#### **Staff Comments**

Library Director Orozco addressed council stating that the Library Board approved a meeting room policy for the new library. She explained that while the library was located at the 800 Thomas Street location, the library had one room for public use, and was offered free of charge. In the new library, the Library Board is recommending different charges for not-for-profit and corporate entities. Orozco reviewed the proposed fees with the council and answered questions regarding the fees. She noted that the fees proposed were close to standards used by other libraries.

Councilman Goss asked Library Director Orozco why there was a charge differential for not-for-profits versus corporations. Library Director Orozco replied that the Library Board chose to charge less for not-for-profits; the standard in most libraries is to waive charges or charge less for not-for-profits.

Councilwoman Spillyards asked Ms. Orozco how the proposed fees compared to other municipal libraries. Library Director Orozco replied that the fees were very much in line with other libraries in the area, with the exception of not-for-profit room rentals which were waived in most libraries. She explained that the Library Board felt, due to the upscale style of the new meeting room, that some fee should be required.

#### **Council Action**

A motion was made by Councilwoman Spillyards, seconded by Councilman Jones to adopt Ordinance No. 2011-05; amending Ordinance No. 2009-12 (Consolidated fees schedule), Exhibit "A". Section VIII (A) (Library Fees); Amending fax fees and interlibrary loan request fees; Adopting meeting room fees, providing for repealing, savings and severability clauses; providing for an effective date of this ordinance; and providing for the publication of the caption of this Ordinance. A vote was taken and the motion passed 7-0.

#### **READING OF ORDINANCES**

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*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

City Secretary Ehrlich read the captions to Ordinances 2011-04 and 2011-05 into the official record.

#### **WORK SESSION**

- **Discussion regarding Concealed Handgun License Policy for the Wylie Municipal Complex and Wylie Government Meetings. (J. Butters, Assistant City Manager)**

Assistant City Manager Butters addressed council explaining the laws governing the carrying of concealed weapons. He reviewed Government Code CH 411, Concealed License Handgun Regulations; Penal Code CH 30.06, Trespass by Holder of License to Carry; Penal Code CH 46.03, Places Weapons are Prohibited, and Penal Code CH 46.035, Unlawful carrying of handgun by license holder.

Assistant City Manager Butters noted that council could direct staff to post a PC 30.06 warning so that license holders are prohibited from carrying concealed handguns at Wylie City Council Meetings or choose to direct staff not to post a PC 30.06 warning sign which effectively allows License Holders to carry concealed handguns at Wylie City Council Meetings.

Direction to staff was to direct staff not to post a PC 30.06 warning sign at the Wylie Municipal Complex Council Chambers.

- **Discussion planning for new Municipal Complex Grand Opening.** (*J. Butters, Assistant City Manager*)

Members of the city council discussed the initial planning for the Wylie Municipal Complex Grand Opening. Council directed staff to form a committee consisting of all council members, City Manager Manson, Assistant City Manager Butters, City Secretary Ehrlich and Public Information Officer Kelly. They asked that a work session be planned in the very near future to begin the planning phase.

## **ADJOURNMENT**

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With no further business before the Wylie City Council, a motion was made by Councilman Goss, seconded by Councilman Jones to adjourn the meeting at 9:10 p.m. A vote was taken and the motion passed unanimously.

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**Eric Hogue, Mayor**

**ATTEST:**

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**Carole Ehrlich, City Secretary**



# Wylie City Council

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## **Minutes Special Called Work Session**

### **Wylie City Council Meeting**

March 1, 2011 – 6:00 p.m.

Wylie Municipal Complex – Council Conference Room  
300 Country Club Road, Bldg. 100  
Wylie, TX 75098

#### **CALL TO ORDER**

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*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:05 p.m. with the following Wylie City Council members present: Mayor pro tem Red Byboth (arrived at 7:00 p.m.), Councilwoman Kathy Spillyards, Councilman Carter Porter, Councilman Rick White, Councilman Bennie Jones and Councilman David Goss.

Staff present included: City Manager, Mindy Manson; Assistant City Manager Jeff Butters; Library Director, Rachel Orozco; Public Information Officer, Craig Kelly and Assistant to the City Secretary, Jacky Casey.

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Councilman Goss gave the invocation and Councilman White led the Pledge of Allegiance.

#### **WORK SESSION**

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- **Planning the Grand Opening of the Wylie Municipal Complex** (*City Council*)

Mayor Hogue asked each council member to discuss the events and theme they wanted to include in the planning for the Municipal Complex Grand Opening. Some of those events included: entertainment with high school bands, Library story time, puppet shows, and various kids acts on stage. Also included were headline bands, fireworks, food vendors, some craft vendors, information booths (game warden, police/fire, and adopt a pet). Activities discussed included Bounce Houses, 5K Fun Run, Bike Race, Shots of the City Hall Photography contest, the Dedication and Ribbon Cutting, Basketball Tournament, and Building Tours.

The council discussed a possible date for the event and directed staff to hold June 18, 2011 as the date for the event. The theme for the event will be "Celebrate."

Event Committees discussed included:

**Food/Vendor:** Councilwoman Spillyards, Councilman Goss and City Secretary Ehrlich

**Activities/Day/Sporting:** Councilman Goss, Councilman White and Councilwoman Spillyards

**Entertainment:** Mayor pro tem Byboth, Councilman Jones, Library Director Orozco and Public Services Director Mike Sferra.

**Info/Logistics – Set up and Planning:** Mayor Hogue, Public Information Officer Kelly and Construction Manager Colley

**Clean Up and Volunteers:** Councilman Porter and Assistant City Manager Butters

**Sponsorship and Finance:** Mayor pro tem Byboth, Councilman Jones and Public Information Officer Kelly

The next planning meeting of the City Council will be March 15, 2011 in the Council Conference Room at 6:00 p.m.

## **ADJOURNMENT**

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A motion was made by Councilman Porter, seconded by Councilman Jones to adjourn the meeting at 7:32 p.m. A vote was taken and the motion passed unanimously.

ATTEST:

\_\_\_\_\_  
Eric Hogue, Mayor

\_\_\_\_\_  
Carole Ehrlich, City Secretary



# Wylie City Council

## AGENDA REPORT

**Meeting Date:** March 8, 2011  
**Department:** WEDC  
**Prepared By:** Sam Satterwhite  
**Date Prepared:** February 15, 2011

**Item Number:** B.  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 1

### Subject

Consider, and place on file, the Monthly Revenue and Expense Report for the Wylie Economic Development Corporation as of January 31, 2011.


### Recommendation

Accept, and place on file, the monthly Revenue and Expense Report for the Wylie Economic Development Corporation as of January 31, 2011.

### Discussion

The Wylie Economic Development Corporation (WEDC) Board of Directors approved the attached financials on February 23, 2011.

### Approved By

	<i>Initial</i>	<i>Date</i>
<b>Department Director</b>	<u>SS</u>	<u>2-15-11</u>
<b>City Manager</b>	<u></u>	<u>3/3/11</u>

## BALANCE SHEET

AS OF: JANUARY 31ST, 2011

111-WYLIE ECONOMIC DEVEL CORP

ACCOUNT#	TITLE	
<b>ASSETS</b>		
*****		
1000-10110	CLAIM ON CASH AND CASH EQUIV.	1,075,088.81
1000-10115	CASH - WEDC - INWOOD	0.00
1000-10135	INWOOD BANK - ESCROW	0.00
1000-10180	DEPOSITS	2,000.00
1000-10198	OTHER - MISC CLEARING	295.26
1000-10341	TEXPOOL	0.00
1000-10343	LOGIC	0.00
1000-10481	INTEREST RECEIVABLE	0.00
1000-11511	ACCTS REC - MISC	0.00
1000-11517	ACCTS REC - SALES TAX	0.00
1000-12996	LOAN REC - JACOBY	0.00
1000-12997	ACCTS REC - JTM TECH	0.00
1000-12998	ACCTS REC - SAVAGE	301,030.72
1000-14112	INVENTORY - MATERIAL/ SUPPLY	0.00
1000-14116	INVENTORY - LAND	3,062,109.82
1000-14118	INVENTORY - BAYCO/ SANDEN BLVD	0.00
1000-14310	PREPAID EXPENSES - MISC	0.00
1000-14410	DEFERRED CHARGES	669,332.80
		<hr/>
		5,109,857.41
		<hr/>
TOTAL ASSETS		5,109,857.41
*****		
<b>LIABILITIES</b>		
*****		
2000-20110	FEDERAL INCOME TAX PAYABLE	0.00
2000-20111	MEDICARE PAYABLE	0.00
2000-20112	CHILD SUPPORT PAYABLE	0.00
2000-20113	CREDIT UNION PAYABLE	0.00
2000-20114	IRS LEVY PAYABLE	0.00
2000-20115	NATIONWIDE DEFERRED COMP	0.00
2000-20116	HEALTH INSUR PAY-EMPLOYEE	262.67
2000-20117	TMRS PAYABLE	0.00
2000-20118	ROTH IRA PAYABLE	0.00
2000-20119	WORKERS COMP PAYABLE	0.00
2000-20120	FICA PAYABLE	0.00
2000-20121	TEC PAYABLE	0.00
2000-20122	STUDENT LOAN LEVY PAYABLE	0.00
2000-20123	ALIMONY PAYABLE	0.00
2000-20124	BANKRUPTCY PAYABLE	0.00
2000-20125	VALIC DEFERRED COMP	0.00
2000-20126	ICMA PAYABLE	0.00
2000-20130	FLEXIBLE SPENDING ACCOUNT	2,549.98
2000-20151	ACCRUED WAGES PAYABLE	0.00
2000-20180	ADDIT EMPLOYEE INSUR PAY	0.00
2000-20199	MISC PAYROLL PAYABLE	0.00
2000-20201	AP PENDING	2,690.46
2000-20210	ACCOUNTS PAYABLE	295.26
2000-20530	PROPERTY TAXES PAYABLE	0.00
2000-20540	NOTES PAYABLE	669,332.80
2000-20810	DUE TO GENERAL FUND	0.00

## BALANCE SHEET

AS OF: JANUARY 31ST, 2011

111-WYLIE ECONOMIC DEVEL CORP

ACCOUNT#	TITLE	
2000-22270	DEFERRED REVENUE	202,113.52
2000-22915	RENTAL DEPOSITS	1,800.00
	TOTAL LIABILITIES	878,519.35
EQUITY		
=====		
3000-34590	FUND BALANCE-UNRESERV/UNDESIG	3,877,296.71
	TOTAL BEGINNING EQUITY	3,877,296.71
	TOTAL REVENUE	873,928.16
	TOTAL EXPENSES	519,886.81
	REVENUE OVER/ (UNDER) EXPENSES	354,041.35
	TOTAL EQUITY & OVER/ (UNDER)	4,231,338.06
	TOTAL LIABILITIES, EQUITY & OVER/ (UNDER)	5,109,857.41
		=====

## BALANCE SHEET

AS OF: JANUARY 31ST, 2011

922-GEN LONG TERM DEBT (WEDC)

ACCOUNT#	TITLE		
<b>ASSETS</b>			
-----			
1000-10312	GOVERNMENT NOTES	0.00	
1000-18110	LOAN - WEDC	0.00	
1000-18120	LOAN - BIRMINGHAM	0.00	
1000-18210	AMOUNT TO BE PROVIDED	0.00	
1000-18220	BIRMINGHAM LOAN	0.00	
			0.00
			0.00
-----			
<b>LIABILITIES</b>			
-----			
2000-20310	COMPENSATED ABSENCES PAYABLE	36,069.88	
2000-20311	COMP ABSENCES PAYABLE-CURRENT	2,830.57	
2000-21410	AIP - GO/CO BONDS	512.10	
2000-28205	WEDC LOANS - CURRENT	76,798.27	
2000-28220	BIRMINGHAM LOAN	0.00	
2000-28230	INWOOD LOAN	0.00	
2000-28235	ANB LOAN	374,307.55	
2000-28240	HUGHES LOAN	189,068.10	
2000-28250	CITY OF WYLIE LOAN	0.00	
2000-28260	PRIME KUTS LOAN	0.00	
2000-28270	BOWLAND/ANDERSON LOAN	0.00	
2000-28280	CAPITAL ONE CAZAD LOAN	0.00	
			679,586.47
-----			
<b>EQUITY</b>			
-----			
3000-34590	FUND BALANCE-UNRESERV/UNDESIG(	848,014.44)	
	TOTAL BEGINNING EQUITY	( 848,014.44)	
	TOTAL REVENUE	0.00	
	TOTAL EXPENSES	( 168,427.97)	
	REVENUE OVER/ (UNDER) EXPENSES	168,427.97	
	TOTAL EQUITY & OVER/ (UNDER)	( 679,586.47)	
			0.00
-----			
<b>TOTAL LIABILITIES, EQUITY &amp; OVER/ (UNDER)</b>			
-----			

## REVENUE AND EXPENSE REPORT - (UNAUDITED)

AS OF: JANUARY 31ST, 2011

111-WYLIE ECONOMIC DEVEL CORP  
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	1,299,056.00	100,999.10	0.00	204,686.29	0.00	1,094,369.71	15.76
INTEREST INCOME	3,000.00	223.81	0.00	804.69	0.00	2,195.31	26.82
MISCELLANEOUS INCOME	87,800.00	7,673.44	0.00	668,437.18	0.00	( 580,637.18)	761.32
OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,389,856.00	108,896.35	0.00	873,928.16	0.00	515,927.84	62.88
=====							
<u>EXPENDITURE SUMMARY</u>							
DEVELOPMENT CORP-WEDC	2,106,765.00	268,550.51	0.00	519,886.81	6,710.00	1,580,168.19	25.00
TOTAL EXPENDITURES	2,106,765.00	268,550.51	0.00	519,886.81	6,710.00	1,580,168.19	25.00
=====							
REVENUE OVER/(UNDER) EXPENDITURES	( 716,909.00)	( 159,654.16)	0.00	354,041.35	( 6,710.00)	( 1,064,240.35)	48.45-



CITY OF WYLIE  
REVENUE AND EXPENSE REPORT - (UNAUDITED)  
AS OF: JANUARY 31ST, 2011

111-WYLIE ECONOMIC DEVEL CORP  
DEVELOPMENT CORP-WEDC  
DEPARTMENTAL EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>PERSONNEL SERVICES</u>							
5611-51110 SALARIES	166,778.00	12,832.50	0.00	51,971.62	0.00	114,806.38	31.16
5611-51130 OVERTIME	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51140 LONGEVITY PAY	960.00	0.00	0.00	964.00	0.00	4.00	100.42
5611-51145 SICK LEAVE BUYBACK	1,924.00	0.00	0.00	1,764.62	0.00	159.38	91.72
5611-51160 CERTIFICATION INCENTIVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51170 PARAMEDIC INCENTIVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51210 CAR ALLOWANCE	11,320.00	870.78	0.00	3,526.66	0.00	7,793.34	31.15
5611-51220 PHONE ALLOWANCE	3,456.00	265.84	0.00	1,076.65	0.00	2,379.35	31.15
5611-51230 CLOTHING ALLOWANCE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-51310 TMRS	20,452.00	1,712.62	0.00	6,676.75	0.00	13,775.25	32.65
5611-51410 HOSPITAL & LIFE INSURANCE	24,773.00	3,260.78	0.00	8,219.87	0.00	16,553.13	33.18
5611-51420 LONG-TERM DISABILITY	951.00	76.44	0.00	191.10	0.00	759.90	20.09
5611-51440 FICA	11,439.00	840.50	0.00	1,916.46	0.00	9,522.54	16.75
5611-51450 MEDICARE	2,676.00	196.56	0.00	838.50	0.00	1,837.50	31.33
5611-51470 WORKERS COMP PREMIUM	604.00	126.18	0.00	477.82	0.00	126.18	79.11
5611-51480 UNEMPLOYMENT COMP (TWC)	540.00	0.00	0.00	0.00	0.00	540.00	0.00
TOTAL PERSONNEL SERVICES	245,873.00	19,929.84	0.00	77,624.05	0.00	168,248.95	31.57
<u>SUPPLIES</u>							
5611-52010 OFFICE SUPPLIES	14,200.00	936.11	0.00	10,363.81	0.00	3,836.19	72.98
5611-52040 POSTAGE & FREIGHT	1,220.00	64.00	0.00	198.92	0.00	1,021.08	16.30
5611-52130 TOOLS/ EQUIP - UNDER \$100	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-52810 FOOD SUPPLIES	3,600.00	229.10	0.00	824.73	0.00	2,775.27	22.91
5611-52990 OTHER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL SUPPLIES	19,020.00	1,229.21	0.00	11,387.46	0.00	7,632.54	59.87
<u>MATERIALS FOR MAINTENANC</u>							
5611-54630 TOOLS & EQUIPMENT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-54810 COMPUTER HARD/SOFTWARE	2,000.00	117.92	0.00	1,114.73	0.00	885.27	55.74
5611-54990 OTHER	20,000.00	0.00	0.00	2,588.00	3,795.00	13,617.00	31.92
TOTAL MATERIALS FOR MAINTENANC	22,000.00	117.92	0.00	3,702.73	3,795.00	14,502.27	34.08
<u>CONTRACTUAL SERVICES</u>							
5611-56030 INCENTIVES	796,888.00	51,598.18	0.00	51,598.18	0.00	745,289.82	6.47
5611-56040 SPECIAL SERVICES	25,845.00	668.00	0.00	9,567.74	150.00	16,127.26	37.60
5611-56080 ADVERTISING	48,790.00	0.00	0.00	2,450.00	765.00	45,575.00	6.59
5611-56090 COMMUNITY DEVELOPMENT	38,715.00	950.00	0.00	13,009.68	2,000.00	23,705.32	38.77
5611-56110 COMMUNICATIONS	3,140.00	904.24	0.00	1,562.36	0.00	1,577.64	49.76
5611-56180 RENTAL	27,000.00	2,213.98	0.00	9,101.64	0.00	17,898.36	33.71
5611-56210 TRAVEL & TRAINING	40,677.00	325.00	0.00	500.51	0.00	40,176.49	1.23
5611-56250 DUES & SUBSCRIPTIONS	7,813.00	400.00	0.00	1,900.00	0.00	5,913.00	24.32
5611-56310 INSURANCE	303.00	0.00	0.00	0.00	0.00	303.00	0.00
5611-56510 AUDIT & LEGAL SERVICES	12,600.00	1,300.00	0.00	7,647.50	0.00	4,952.50	60.69
5611-56570 ENGINEERING/ARCHITECTURAL	12,500.00	0.00	0.00	7,148.00	0.00	5,352.00	57.18
5611-56610 UTILITIES-ELECTRIC	4,800.00	315.81	0.00	700.64	0.00	4,099.36	14.60
TOTAL CONTRACTUAL SERVICES	1,019,071.00	58,675.21	0.00	105,186.25	2,915.00	910,969.75	10.61

## REVENUE AND EXPENSE REPORT - (UNAUDITED)

AS OF: JANUARY 31ST, 2011

111-WYLIE ECONOMIC DEVEL CORP  
DEVELOPMENT CORP-WEDC  
DEPARTMENTAL EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>DEBT SERVICE &amp; CAP. REPL</u>							
5611-57110 DEBT SERVICE-BOND DEBT	402,738.00	182,998.33	0.00	218,850.84	0.00	183,887.16	54.34
5611-57710 BAD DEBT EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL DEBT SERVICE & CAP. REPL	402,738.00	182,998.33	0.00	218,850.84	0.00	183,887.16	54.34
<u>CAPITAL OUTLAY</u>							
5611-58110 LAND-PURCHASE PRICE	382,563.00	0.00	0.00	275,064.65	0.00	107,498.35	71.90
5611-58120 DEVELOPMENT FEES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58210 STREETS & ALLEYS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-58810 COMPUTER HARD/SOFTWARE	500.00	0.00	0.00	0.00	0.00	500.00	0.00
5611-58830 FURNITURE & FIXTURES	10,000.00	600.00	0.00	9,332.00	0.00	668.00	93.32
5611-58910 BUILDINGS	0.00	0.00	0.00	39,253.48	0.00	( 39,253.48)	0.00
5611-58995 CONTRA CAPITAL OUTLAY	0.00	0.00	0.00	( 225,514.65)	0.00	225,514.65	0.00
TOTAL CAPITAL OUTLAY	393,063.00	600.00	0.00	98,135.48	0.00	294,927.52	24.97
<u>OTHER FINANCING (USES)</u>							
5611-59111 TRANSFER TO GENERAL FUND	5,000.00	5,000.00	0.00	5,000.00	0.00	0.00	100.00
5611-59190 TRANSFER TO THOROUGHFARE IMP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5611-59990 PROJECT ACCOUNTING	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER FINANCING (USES)	5,000.00	5,000.00	0.00	5,000.00	0.00	0.00	100.00
<hr/>							
TOTAL DEVELOPMENT CORP-WEDC	2,106,765.00	268,550.51	0.00	519,886.81	6,710.00	1,580,168.19	25.00
<hr/>							
TOTAL EXPENDITURES	2,106,765.00	268,550.51	0.00	519,886.81	6,710.00	1,580,168.19	25.00
<hr/>							
REVENUE OVER (UNDER) EXPENDITURES	( 716,909.00)	( 159,654.16)	0.00	354,041.35	( 6,710.00)	( 1,064,240.35)	48.45-

\*\*\* END OF REPORT \*\*\*

Wylie Economic Development Corporation  
Balance Sheet Subledger  
January 31, 2011

**Inventory - Land**

	Date of Pur.	Address	Acreage	Improvements (sq. ft.)	Cost Basis
McMasters	7/12/05	709 Cooper	0.48	n/a	202,045.00
Heath	12/28/05	706 Cooper	0.46	3,625	186,934.22
Perry	9/13/06	707 Cooper	0.491	n/a	200,224.00
Bowland/Anderson	10/9/07	Cooper Dr.	0.372	n/a	106,418.50
KCS	8/1/08	Cooper Dr.	0.406	n/a	60,207.87
Hughes	7/25/06	211 - 212 Industrial R.O.W.	0.74 0.18	10,000	420,361.21 41,585.26
Prime Kuts	10/8/07	207 Industrial R.O.W.	0.20 0.11	4,550	229,284.00 77,380.45
Cazad	3/17/08	210 Industrial	0.27	3,900	200,781.55
Ferrell	9/29/05	2806 F.M. 544	1.09	n/a	239,372.00
Sale of R.O.W.	2/14/07		-0.09		-20,094.48
Crossroads	6/12/09	2804 F.M. 544	0.44	4,750	171,842.02
Regency Pk.	6/4/10	25 Steel Road	0.65	n/a	25,170.77
Premier Plaza	8/26/05	Martinez Lane	25.00	n/a	639,000.00
Sale to Savage	5/28/08		-3.87		-98,917.20
SAF-Holland	12/14/10	Martinez Lane	1.33	n/a	225,514.65
Premier Industrial Park	7/12/07	Hensley	3.2	n/a	155,000.00
		Total	31.45		3,062,109.82

\*A Journal entry was made by auditors to adjust the cost of the Hughes land by \$4,638.79. This amount was for taxes owed and therefore not part of the land value.

\*Prime Kuts total purchase price was \$306,664.45. The distribution between 207 Industrial and R.O.W. purchased was developed by Seller for tax purposes.

Wylie Economic Development Corporation  
Balance Sheet Sub ledger  
January 31, 2011

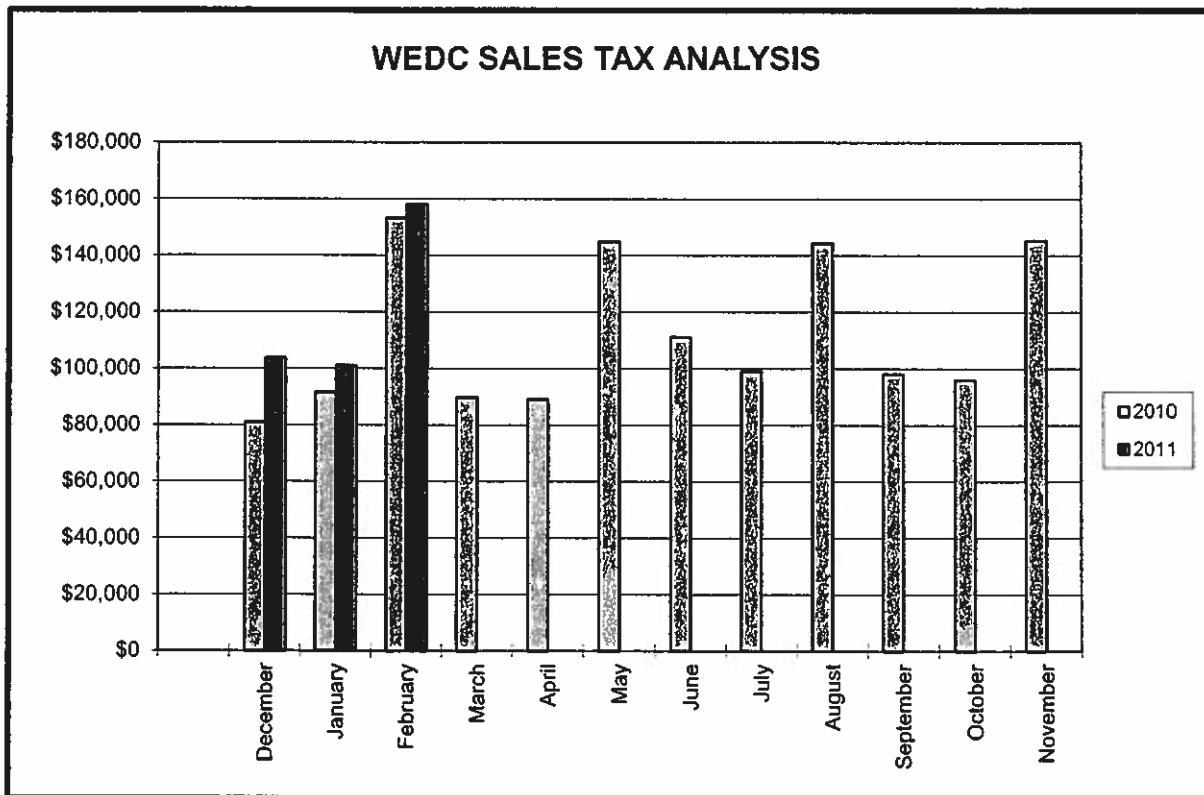
**Notes Payable**

	Date of Purchase	Payment	Beginning Bal.	Principal	Interest	Rate of Interest	Principal Balance
December 31, 2010							\$819,970.92
Hughes (#54 of 120)	7/25/06	3,774.70	214,451.53	2,688.99	1,085.70	6.00	211,749.09
Prime Kuits (Final)	10/8/07	170,768.81	170,493.82	170,493.82	274.99	6.00	0.00
ANBTX (#3 of 60)	10/28/10	8,454.82	435,025.58	6,600.52	1,821.84	4.95	428,425.06
January 31, 2011				179,783.33	\$3,182.53		\$640,174.15

Note: Principal and Interest payments vary by date of payment.

**WYLIE ECONOMIC DEVELOPMENT CORPORATION**  
**SALES TAX REVENUE**  
**FOR THE MONTH OF FEBRUARY 2011**

MONTH	WEDC 2009	WEDC 2010	WEDC 2011	DIFF 10 VS 11	% DIFF 10 VS 11
DECEMBER	\$90,500	\$81,014	\$103,687	\$22,673	27.99%
JANUARY	101,531	91,593	100,999	9,406	10.27%
FEBRUARY	145,246	153,281	158,204	4,923	3.21%
MARCH	87,584	89,717			
APRIL	86,040	89,119			
MAY	130,966	144,953			
JUNE	94,993	111,174			
JULY	95,282	99,065			
AUGUST	117,541	144,373			
SEPTEMBER	104,015	98,102			
OCTOBER	100,312	96,010			
NOVEMBER	144,326	145,337			
Sub-Total	\$1,298,336	\$1,343,739	\$362,891	\$37,003	11.35%
AUDIT ADJ					
TOTAL	\$1,298,336	\$1,343,739	\$362,891	\$37,003	11.35%





## Wylie City Council

# AGENDA REPORT

Meeting Date: March 8, 2011  
Department: Planning  
Prepared By: Renae' Ollie  
Date Prepared: February 25, 2011

Item Number: C.  
(City Secretary's Use Only)  
Account Code:  
Budgeted Amount: \$  
Exhibits: Four

### Subject

Consider, and act upon, Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. **ZC 2011-01**

### Recommendation

Motion to approve Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. **ZC 2011-01**

### Discussion

**Owner: Woodbridge Properties, LLC**

**Applicant: Herzog Development Corporation**

Zoning Case 2011-01 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The 21.995 and 3.593 acre tracts are located northwest of Sachse/Ballard Road and east and west of Creek Crossing Lane within the Woodbridge Subdivision.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

### Approved By

Department Director  
City Manager

Initial  
RO

Date

02/25/11

**ORDINANCE NO. 2011-06**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF WYLIE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY, ZONING CASE NUMBER 2011-01, FROM PLANNED DEVELOPMENT (PD-98-15) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT – TO ALLOW FOR 5,500 SQUARE FOOT LOTS FOR PHASE 16; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

SECTION 1: That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Planned Development (PD), said property being described in Exhibit “A” (Legal Description), Exhibit “B” (Zoning Exhibit), Exhibit “C” (PD Conditions), and Exhibit “D” (Conceptual Plan) attached hereto and made a part hereof for all purposes.

SECTION 2: That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3: That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 4: Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

**SECTION 5:** Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6:** This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**SECTION 7:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 8<sup>th</sup> day of March, 2011.**

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Eric Hogue, Mayor

ATTEST:

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Carole Ehrlich, City Secretary

*DATE OF PUBLICATION: Wednesday, March 16, 2011, in the Wylie News*

# EXHIBIT "A"

## LEGAL DESCRIPTION 21.995 ACRES

**BEING** a tract of land situated in the Richard D. Newman Survey, Abstract No. 660, Collin County, and the Richard D. Newman Survey, Abstract No. 1072, Dallas County, City of Wylie, Texas and being part of a tract described in deed to Woodbridge Properties, LLC recorded in Clerk's File No. 2001-0127082, Land Records of Collin County, Texas and in Volume 2001195, Page 4662, Deed Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at the intersection of the northwest right-of-way line of Sachse/Ballard Road (a variable width right-of-way) and the southwest right-of-way line of Creek Crossing Lane (a variable width right-of-way);

**THENCE** with said northwest right-of-way line, the following courses and distances:

South 45° 02' 46" West, a distance of 226.90 feet to a point for corner;  
North 87° 55' 14" West, a distance of 27.68 feet to a point for corner;  
South 45° 31' 03" West, a distance of 338.72 feet to a point for corner;  
South 46° 13' 42" West, a distance of 1230.10 feet to a point for corner;

**THENCE** departing said northwest right-of-way line, the following courses and distances:

North 43° 39' 39" West, a distance of 479.94 feet to a point for corner;  
North 41° 58' 57" East, a distance of 399.47 feet to a point for corner;  
North 17° 52' 12" East, a distance of 483.13 feet to a point for corner;  
South 87° 50' 21" East, a distance of 144.96 feet to a point for corner;  
North 83° 10' 34" East, a distance of 139.67 feet to a point for corner;  
North 74° 35' 48" East, a distance of 90.78 feet to a point for corner;  
North 72° 50' 28" East, a distance of 191.16 feet to a point for corner;  
North 38° 23' 26" East, a distance of 137.61 feet to a point for corner;  
North 54° 45' 28" East, a distance of 133.34 feet to a point for corner;  
North 56° 26' 46" East, a distance of 171.40 feet to a point for corner;  
North 29° 33' 16" West, a distance of 110.13 feet to a point for corner;  
North 56° 45' 27" West, a distance of 89.77 feet to a point for corner;  
North 87° 36' 36" West, a distance of 58.38 feet to a point for corner in the south line of Block Q, Woodbridge Phase 10D, an addition to the City of Wylie, Collin County, Texas according to the plat recorded in Cabinet 2006, Page 590, Map Records of Collin County, Texas;

**THENCE** with said south line, the following courses and distances:

North 69° 27' 51" East, a distance of 13.46 feet to a point for corner;  
North 61° 43' 38" East, a distance of 115.09 feet to a point for corner at the beginning of a curve to the left having a central angle of 03° 44' 03", a radius of 830.00 feet, a chord bearing and distance of South 43° 05' 12" East, 54.08 feet, said point also being in said southwest right-of-way line of Creek Crossing Lane;

**THENCE** with said southwest right-of-way line, the following courses and distances:

# EXHIBIT "A"

In a southeasterly direction, with said curve to the left, an arc distance of 54.09 feet to a point at the end of said curve;

South 44° 57' 14" East, a distance of 247.52 feet to a point for corner;

South 38° 05' 43" East, a distance of 83.74 feet to a point for corner;

South 44° 57' 14" East, a distance of 217.13 feet to the **POINT OF BEGINNING** and containing 21.995 acres or 958,112 square feet of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

# EXHIBIT "A"

## LEGAL DESCRIPTION 3.593 ACRES

**BEING** a tract of land situated in the Richard D. Newman Survey, Abstract No. 660, Collin County, City of Wylie, Texas and being part of a tract described in deed to Woodbridge Properties, LLC recorded in Clerk's File No. 2001-0127082, Land Records of Collin County, Texas and being more particularly described as follows:

**BEGINNING** at the intersection of the northwest right-of-way line of Sachse/Ballard Road (a variable width right-of-way) and the northeast right-of-way line of Creek Crossing Lane (a variable width right-of-way);

**THENCE** with said northeast right-of-way line, the following courses and distances:

North 44° 57' 14" West, a distance of 140.00 feet to a point for corner;  
North 45° 02' 46" East, a distance of 15.50 feet to a point for corner;  
North 44° 57' 14" West, a distance of 50.00 feet to a point for corner;  
South 45° 02' 46" West, a distance of 15.50 feet to a point for corner;  
North 44° 57' 14" West, a distance of 25.90 feet to a point for corner;  
North 51° 46' 40" West, a distance of 84.16 feet to a point for corner;  
North 44° 57' 14" West, a distance of 132.53 feet to a point for corner; said point being the southernmost corner of Lot 16, block A, Woodbridge Phase 9, an addition to the City of Wylie, Texas according to the plat recorded in Cabinet Q, Page 372, Map Records of Collin County, Texas;

**THENCE** departing said northeast right-of-way line and with the south line of said Lot 16, Block A, the following courses and distances:

North 63° 15' 03" East, a distance of 28.88 feet to a point for corner;  
North 74° 31' 05" East, a distance of 33.34 feet to a point for corner;  
North 64° 54' 35" East, a distance of 85.13 feet to a point for corner at the beginning of a curve to the left having a central angle of 47° 01' 38", a radius of 100.00 feet, a chord bearing and distance of North 41° 23' 45" East, 79.79 feet;  
In a northeasterly direction, with said curve to the left, an arc distance of 82.08 feet to a point at the end of said curve;  
North 17° 52' 56" East, a distance of 13.54 feet to a point for corner at the beginning of a curve to the right having a central angle of 54° 35' 13", a radius of 100.00 feet, a chord bearing and distance of North 45° 10' 33" East, 91.71 feet;  
In a northeasterly direction, with said curve to the right, an arc distance of 95.27 feet to a point at the end of said curve;  
North 72° 28' 09" East, a distance of 108.48 feet to a point for corner at the beginning of a curve to the right having a central angle of 47° 11' 49", a radius of 100.00 feet, a chord bearing and distance of South 83° 55' 56" East, 80.07 feet;  
In a southeasterly direction, with said curve to the right, an arc distance of 82.37 feet to a point at the end of said curve;  
South 60° 20' 02" East, a distance of 75.49 feet to a point for corner in the said northwest right-of-way line of said Sachse/Ballard Road;

**THENCE** with said northwest right-of-way line the following courses and distances:

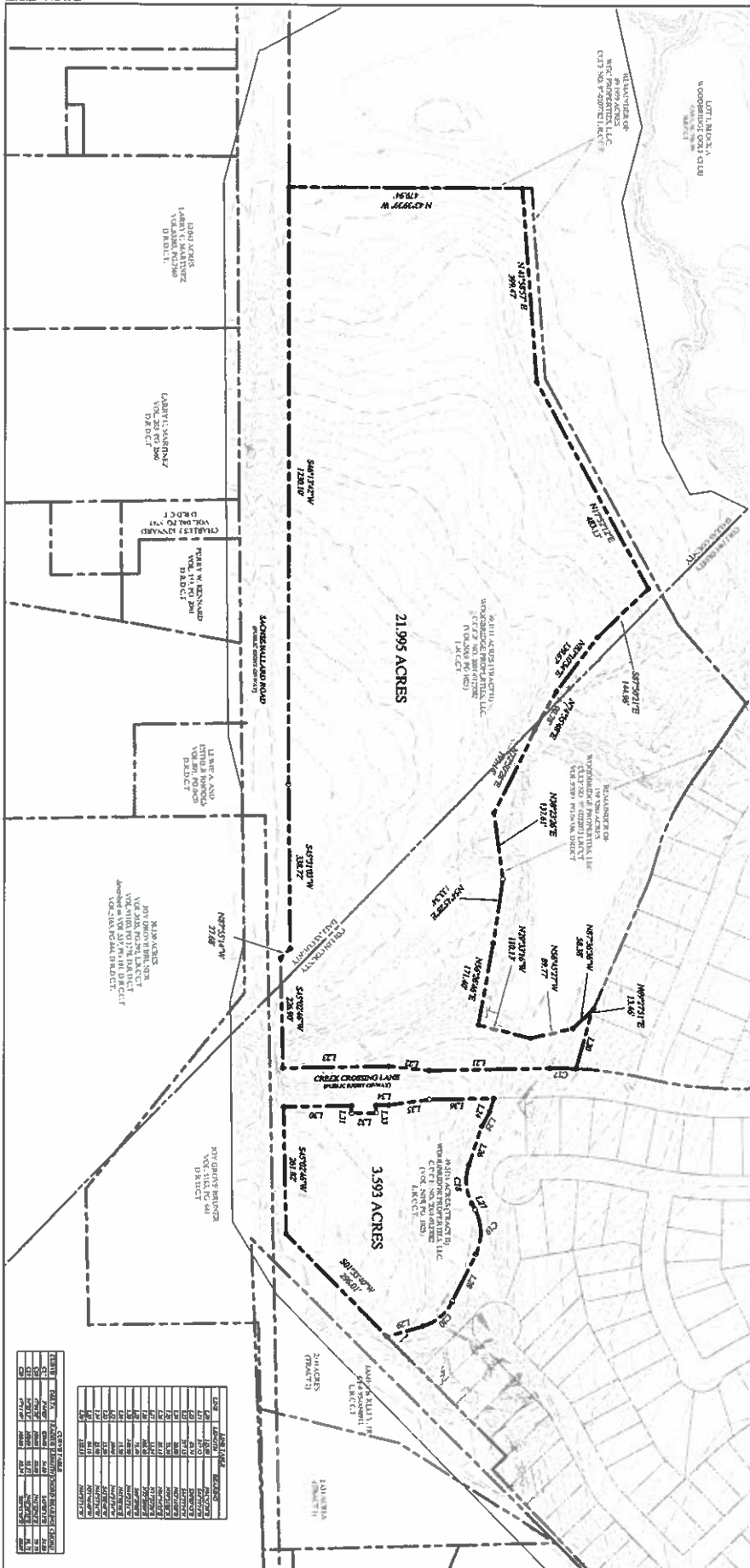
South 01° 33' 40" West, a distance of 296.01 feet to a point for corner;

# EXHIBIT "A"

South 45° 02' 46" West, a distance of 261.82 feet to the **POINT OF BEGINNING** and containing 3.593 acres or 156,530 square feet of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

— 200 —

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ZONING EXHIBIT

1 SHEET

Amendment To  
Exhibit "C"  
PLANNED DEVELOPMENT DISTRICT  
DEVELOPMENT STANDARDS  
(Zoning Case 2010-\_\_)

**2.09 R-5.5 Single Family:** The homes constructed on R-5.5 lots platted after the approval date of this Amendment to Exhibit "C" of Ordinance 98-15 are subject to the following:

- a. **Minimum Dwelling Size:** The minimum area of the main building, exclusive of garages, breezeways and porticos is as follows:

15% of the dwellings	1,800 square feet
40% of the dwellings	2,000 square feet
25% of the dwellings	2,400 square feet
20% of the dwellings	3,000 square feet

Building and area requirements for patio homes are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building, exclusive of garages, breezeways and porticos is as follows:

40% of the dwellings	1,800 square feet
30% of the dwellings	2,000 square feet
20% of the dwellings	2,400 square feet
10% of the dwellings	2,800 square feet

**2.10 General Requirements:** The homes constructed on R-5.5 lots platted after the approval date of this amendment to Ordinance 98-15 are not subject to paragraphs c. and d. of this Section.

The attachment "Number of Lots by Lot Type" is revised as follows:

R-9.0	23	2.4%
R-8.4	71	7.4%
R-7.2	207	21.6%
<u>R5.5</u>	<u>659</u>	<u>68.6%</u>
Total	960	100.0%





# Wylie City Council

## AGENDA REPORT

Meeting Date:	March 8, 2011	Item Number:	D.
Department:	Planning		(City Secretary's Use Only)
Prepared By:	Renae' Ollie	Account Code:	
Date Prepared:	February 25, 2011	Budgeted Amount:	\$
		Exhibits:	Four

### Subject

Consider, and act upon, Ordinance No. 2011-07 amending PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback for the purpose of increasing the width of the main collector road into the subdivision and to delete 0.88 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. **ZC 2011-02**

### Recommendation

Motion to approve Ordinance No. 2011-07 amending PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback for the purpose of increasing the width of the main collector road into the subdivision and to delete 0.88 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. **ZC 2011-02**

### Discussion

**Owner: Gary DeFrain, Campbell Wylie Partners**

**Applicant: Campbell Wylie Partners**

Zoning Case 2011-02 requires an Ordinance to amend the zoning accordingly in the Official Zoning map of the City; and providing a penalty clause, a repeal clause, a savings clause, a severability clause, and an effective date.

The 45.193 acre tract, save and except .88 acres are located south of Parker Road (F.M. 2514) and approximately ½ mile west of Country Club Road.

The above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

### Approved By

Department Director

City Manager

Initial

RO

Date

02/25/11

*mm*

*3/3/11*

**ORDINANCE NO. 2011-07**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS,  
AMENDING THE COMPREHENSIVE ZONING  
ORDINANCE OF THE CITY OF WYLIE, AS  
HERETOFORE AMENDED, SO AS TO CHANGE THE  
ZONING ON THE HEREINAFTER DESCRIBED  
PROPERTY, ZONING CASE NUMBER 2011-02, FROM  
PLANNED DEVELOPMENT (PD-2000-22B) DISTRICT TO  
PLANNED DEVELOPMENT (PD) DISTRICT – TO ALLOW  
A REVISED CONCEPTUAL PLAN AND MODIFY THE PD  
CONDITIONS; PROVIDING FOR A PENALTY FOR THE  
VIOLATION OF THIS ORDINANCE; PROVIDING FOR  
THE REPEAL OF ALL ORDINANCES IN CONFLICT;  
PROVIDING A SEVERABILITY CLAUSE; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Wylie, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to owners of the affected property, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

**SECTION 1:** That the Comprehensive Zoning Ordinance of the City of Wylie, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Wylie, to give the hereinafter described property a new zoning classification of Planned Development (PD), said property being described in Exhibit “A” (Legal Description), Exhibit “B” (Conceptual Plan), and Exhibit “C” (PD Conditions) attached hereto and made a part hereof for all purposes.

**SECTION 2:** That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3:** That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

**SECTION 4:** Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, commits an unlawful act and shall be subject to the general penalty provisions of Section 1.5 of the Zoning Ordinance, as the same now exists or is hereafter amended.

**SECTION 5:** Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6:** This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**SECTION 7:** The repeal of any ordinance, or parts thereof, by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as effecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 8th day of March, 2011.**

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Eric Hogue, Mayor

ATTEST:

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Carole Ehrlich, City Secretary

*DATE OF PUBLICATION: March 16, 2011, in the Wylie News*

**Legal Description  
Zone Case #2011-02**

Being a 45.193 acre tract of land situated in the Lewis M. Marshall Survey, Abstract No. 594, Collin County, Texas, and being a portion of that called 47.8265 acre tract of land described in deed to Campbell/Wylie Partners recorded in Volume 4571, Page 1058, of the Deed Records of Collin County, Texas (DRCCT), and a portion of that called 209.3886 acre tract of land in deed to Campbell/Wylie Partners recorded in Collin County Clerk's File No. 98-0032454, DRCCT, said 45.192 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at a 5/8-inch iron rod found for the northeast corner of said 47.8265 acre tract, same being the northwest corner of that called 0.908 acre tract of land described in deed to Mark Strange recorded in Collin County Clerk's File No. 93-0064862, DRCCT, and being in the southerly right-of-way line of Farm to Market Road No. 2514 (Parker Road), a 100 foot right-of-way;

THENCE South 01°17'01" East along the common line of said 47.8265 acre tract of land and said 0.908 acre tract of land, a distance of 294.36 feet (South 01°23'55" East, 294.30 feet, deed) to a 5/8-inch iron rod found for the southwest corner of said 0.908 acre tract of land;

THENCE South 89°04'04" East continuing along said common line, a distance of 133.18 feet (South 88°42'01" East, 132.52 feet, deed) to a 3/8-inch iron rod found for the southeast corner of said 0.908 acre tract of land, same being the southwest corner of that called 1.364 acre tract of land described in deed to Peggy Howe and Jim Lee Howe recorded in Collin County Clerk's File No. 96-0036052, DRCCT;

THENCE South 88°54'50" East along the common line of said 47.8265 acre tract of land and said 1.364 acre tract of land, at a calculated distance of 195.48 feet passing the southeast corner of said 1.364 acre tract of land same being the southwest corner of that called 2.0758 acre tract of land described in deed to Berkley Wm. Hotchkiss recorded in Volume 3012, Page 12, DRCCT continuing along the common line of said 47.8265 acre tract of land and said 2.0758 acre tract of land in all for a total distance of 493.09 feet (South 88°54'31" East, 492.79 feet, deed) to a 3/8-inch iron rod found for corner in the West line of DOVE CREEK MONROE ADDITION, 1<sup>st</sup> Installment, and unrecorded subdivision in Collin County, Texas;

THENCE along the common line of said 47.8265 acre tract of land and said MONROE ADDITION the following:

South 00°22'44" West, a distance of 98.0 feet crossing the approximate center line of Muddy Creek, continuing a total distance of 388.58 feet (South 00°16'37" West, 388.10 feet, deed) to a point for corner;

South 00°51'44" West, a distance of 82.88 feet (South 00°45'37" West, 82.78 feet, deed) to a point for corner;

South 11°16'16" East a distance of 47.32 feet (South 11°22'23" East, 47.26 feet, deed) to a point for corner;

South 00°58'16" East, a distance of 263.22 feet (South 01°04'23" East, 262.88 feet, deed) to a 1/2-inch iron rod found for corner;

South 00°53'28" East, a distance of 239.82 feet (South 00°51'23" East, 240.00 feet, deed) to a ½-inch iron rod found for corner;

South 00°32'48" East, a distance of 600.59 feet (South 00°30'04" East, deed) to a 5/8-inch iron rod found for the northeast corner of said 209.3886 acre tract of land;

THENCE South 00°20'57" East along an east line of said 209.3886 acre tract of land, a distance of 292.95 feet to a point for corner in the approximate centerline of Muddy Creek;

THENCE generally along the centerline meanders of Muddy Creek the following:

North 83°09'34" West, a distance of 47.23 feet to the point for corner;

North 20°51'22" West, a distance of 164.22 feet to the point for corner;

North 71°06'58" West, a distance of 129.88 feet to the point for corner;

North 43°56'00" West, at a distance of 119.40 feet passing the common line of said 209.3886 acre tract of land and said 47.8265 acre tract of land continuing in all for a total distance of 270.74 feet to a point for corner;

North 10°05'08" West, a distance of 120.72 feet to the point for corner;

North 15°19'47" East, a distance of 67.73 feet to the point for corner in the approximate centerline of Turner Branch;

THENCE generally along the centerline meanders of said Turner Branch the following:

South 85°37'20" West, a distance of 137.58 feet to a point for corner;

North 10°42'21" East, a distance of 50.29 feet to a point for corner;

North 30°05'11" West, a distance of 52.79 feet to a point for corner;

North 85°53'16" West, a distance of 52.53 feet to a point for corner;

South 42°01'37" West, a distance of 105.33 feet to a point for corner;

South 45°30'08" West, a distance of 143.31 feet to a point for corner;

South 56°50'48" West, a distance of 207.02 feet to a point for corner;

North 70°29'50" West, a distance of 20.42 feet to a point for corner in the west line of said 47.8265 acre tract of land same being the east line of that called 49.092 acre tract of land described in deed to Hugh L. Lewis recorded in Volume 706, Page 455, DRCCT;

THENCE along the common line of said 47.8265 acre tract of land and said 49.092 acre tract of land the following:

North 00°20'10" East, a distance of 1077.71 feet (North 00°06'40" East, 1095.95 feet deed) to a ½-inch iron rod found for corner;

North 82°49'54" West, a distance of 266.71 feet (North 82°53'36" West, 266.71 feet, deed) to a point for corner;

North 89°51'51" West, a distance of 252.35 feet (North 89°55'33" West, 252.35 feet, deed) to a point for corner in the east line of that called 3.00 acre tract of land described in deed to Gerald Lewis recorded in Volume 961, Page 597, DRCCT;

THENCE North 00°49'51" West, along the common line of said 47.8265 acre tract of land and said 3.00 acre tract of land at a calculated distance of 281.29 feet passing the most easterly northeast corner of said 3.00 acre tract of land same being the southeast corner of that called 2.00 acre tract of land described in deed to Alvin D. Duncan recorded in Volume 1359, Page 556, DRCCT, continuing along the common line of said 47.8265 acre tract of land and said 2.00 acre tract of land in all for a total distance of 721.83 feet (North 00°32'05" West, 721.29 feet, deed) to a ½-inch iron rod found for corner in the aforementioned southerly right-of-way line of Farm to Market Road No. 2514 (Parker Road);

THENCE North 89°46'53" East along said southerly right-of-way line, a distance of 858.57 feet (North 89°41'37" East, 859.26 feet, deed) to the POINT OF BEGINNING and CONTAINING a computed area of 1,968.544 square feet or 45.192 acres of land.

Save and Except that called 0.88 Tract of land which lies east of the centerline of Muddy Creek and which lies within the 209.3886 acre tract of land described above and as described in Exhibit "B: in City of Wylie Ordinance No. 97-15 which disannexed certain property but retained said 0.88 acres in the City of Wylie's ETJ, leaving a net area of 44.31 acres of land, more or less.



AMENDED  
PLANNED DEVELOPMENT DESIGN STANDARDS  
ESTATES AT CREEKSIDE  
City of Wylie  
December 29, 2010

**TRACT A - Single Family Residential Regulations**

(Block A, Lots 1-22; Block B, Lots 1-8)

**Area regulations.**

(1) *Size of yards*

1. *Front yard.* There shall be a front yard having a depth of not less than 25 feet as measured from the front property line.
2. *Side yard.* There shall be a side yard on each side of the lot having a width of not less than 10 feet in width. A side yard adjacent to a side street shall not be less than 20 feet.
3. *Rear yard.* There shall be a rear yard, a depth of not less than 25 feet.

(2) *Size of lot.*

1. *Lot area.* No building shall be constructed on any lot of less than 10,000 square feet.
2. *Lot width.* The minimum width as measured as the front building line of the lot shall not be less than 75 feet.
3. *Lot depth.* The minimum depth of the lot shall be not less than 100 feet.

(3) *Minimum dwelling size.* The minimum floor area of any dwelling shall be 2,000 square feet exclusive of garages, breezeways and porches.

(4) **Additional Guidelines**

1. *Exterior Wall Materials* - 100% of the dwelling's total exterior area, minus windows and doors, must be masonry veneer, such as brick or stone.
2. *Roofs* - Roofs must be covered with composition material of at least 240 lb weight shingle and have a minimum pitch of 8:12.
3. *Fences and Walls* - Fences may not exceed 7 feet in height. Fences must be made of masonry, wood or architectural metal. The use of chain link fencing is prohibited. Railroad ties may not be used for a retaining wall visible from the street.
4. *Screening* - The owner of a lot must screen the following items from the view of the public and neighboring lots and dwellings, if any of these items exist on the lot:

- A. Clotheslines
- B. Drying racks
- C. Hanging clothes, linens, rugs and textiles of any kind
- D. Yard maintenance equipment
- E. Wood piles and compost piles
- F. Accessory structures such as dog houses, gazebos, metal storage sheds and greenhouses
- G. Garbage can and refuse containers
- H. Roof mounted antenna

Plant material such as trees and bushes may be used for screening.

- 5. *House Elevation* - All plans shall be submitted and approved by the Architectural Control Committee. No like house elevation shall be constructed within 7 lots to each other on both sides of street.
- 6. *Landscaping* - The following minimum landscape features shall be installed prior to the initial occupancy:
  - A. Trees – a minimum of 6 inches in total diameter shall be installed in the front yard. This may be accomplished by one 6 inch tree or multiple trees whose diameters add up to at least 6 inches, with no tree being smaller than 3 inch caliper.
  - B. Shrubs - eighteen (18) 3 gallon shrubs across the front of the house.
  - C. Grass - solid sod from the front of home to the front curb.

**TRACT B Single Family Residential Regulations**

(Block A, Lots 23-35; Block C, Lots 1-3; Block E, Lots 1-8; Block F, Lots 1-3)

**Area regulations.**

(1) *Size of yards*

- 1. Front yard. There shall be a front yard having a depth of not less than 30 feet as measured from the front property line.
- 2. Side yard. There shall be a side yard on each side of the lot having a width of not less than 12 feet in width. A side yard adjacent to a side street shall not be less than 20 feet.
- 3. Rear yard. There shall be a rear yard, a depth of not less than 25 feet.

(2) *Size of lot.*

- 1. Lot area. No building shall be constructed on any lot of less than 12,500 square feet.
- 2. Lot width. The minimum width as measured as the front building line of the lot shall not be less than 90 feet.
- 3. Lot depth. The minimum depth of the lot shall be not less than 100 feet.

- (3) *Minimum dwelling size.* The minimum floor area of any dwelling shall be 2,400 square feet exclusive of garages, breezeways and porches.

4) **Additional Guidelines**

1. *Exterior Wall Materials* - 100% of the dwelling's total exterior area, minus windows and doors, must be masonry veneer, such as brick or stone.
2. *Roofs* - Roofs must be covered with composition material of at least 240 lb weight shingle and have a minimum pitch of 8:12.
3. *Fences and Walls* - Fences may not exceed 7 feet in height. Fences must be made of masonry, wood or architectural metal. The use of chain link fencing is prohibited. Railroad ties may not be used for a retaining wall visible from the street. Architectural metal fencing required along the 100 year flood plain.
4. *Screening* - The owner of a lot must screen the following items from the view of the public and neighboring lots and dwellings, if any of these items exist on the lot:
  - A. Clotheslines
  - B. Drying racks
  - D. Hanging clothes, linens, rugs and textiles of any kind
  - E. Yard maintenance equipment
  - F. Wood piles and compost piles
  - G. Accessory structures such as dog houses, gazebos, metal storage sheds and greenhouses
  - H. Garbage can and refuse containers
  - I. Roof mounted antenna

Plant material such as trees and bushes may be used for screening.

5. *House Elevation* - All plans shall be submitted and approved by the Architectural Control Committee. No like house elevation shall be constructed within 7 lots to each other on both sides of street.
6. *Landscaping* - The following minimum landscape features shall be installed prior to the initial occupancy:
  - A. Trees - a minimum of 6 inches in total diameter shall be installed in the front yard. This may be accomplished by one 6 inch tree or multiple trees whose diameters add up to at least 6 inches, with no tree being smaller than 3 inch caliper.
  - B. Shrubs - eighteen (18) 3 gallon shrubs across the front of the house
  - C. Grass - solid sod from the front of home to the front curb.



# Wylie City Council

## AGENDA REPORT

Meeting Date:	March 8, 2011	Item Number:	E.
Department:	Engineering		(City Secretary's Use Only)
Prepared By:	Chris Holsted	Account Code:	N/A
Date Prepared:	2/28/11	Budgeted Amount:	\$ N/A
		Exhibits:	Rate Study, Ordinance

### Subject

Consider, and act upon, Ordinance No. 2011-08 amending Ordinance No. 2011-04 and Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates).

### Recommendation


Motion to approve an Ordinance No. 2011-08 amending Ordinance No. 2011-04 and Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates).

### Discussion

On December 14, 2010 Council held a work session to discuss the water and sewer rate study prepared by McLain Decision Support Systems. The study incorporated the water and sewer capital improvements plan (CIP), outstanding debt service, the proposed wholesale water rate increases from the North Texas Municipal Water District, the transfer to the general fund, and the expansion of the Public Works Service Center.

An approximately 5.3% increase per year over the next five years was proposed in the rate study (Financing Scenario 2). The attached ordinance incorporates these recommendations into the water and sewer rates for FY 2011. The Ordinance was previously approved on the February 22<sup>nd</sup> Council meeting however, the proposed rate for FY 2012 was inadvertently used in the ordinance.

### Approved By

Department Director	Initial CH	Date 2/28/2011
City Manager		3/3/11

**ORDINANCE NO. 2011-08**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS; AMENDING ORDINANCE NO. 2011-04 AND EXHIBIT "A" OF ORDINANCE NO. 2009-12 (CONSOLIDATED FEE ORDINANCE), SECTION I, SUBSECTION B (WATER RATES) AND SUBSECTION C (SEWAGE COLLECTION AND TREATMENT RATES); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE.**

**WHEREAS**, the City Council of the City of Wylie, Texas ("City Council") has adopted Ordinance No. 2011-04 and Ordinance No. 2009-12 establishing a consolidated fee ordinance ("Consolidated Fee Ordinance") for the City of Wylie, Texas ("Wylie"); and

**WHEREAS**, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Wylie to amend Ordinance No. 2011-04 and the Consolidated Fee Ordinance Section I B (Water Rates), and Section I C (Sewage Collection and Treatment Rates).

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

**SECTION 1: Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Amending Ordinance No. 2011-04 and 2009-12 (Consolidated Fee Ordinance).** Ordinance No. 2011-04 and 2009-12 (Consolidated Fee Ordinance) is hereby amended as identified in Exhibit "A".

**SECTION 3: Penalty Provision.** Any person, firm, corporation or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars (\$2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 4: Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**SECTION 6: Effective Date.** This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS,** on this 8th day of March, 2011.

\_\_\_\_\_  
Eric Hogue, Mayor

**ATTESTED AND  
CORRECTLY RECORDED:**

\_\_\_\_\_  
Carole Ehrlich, City Secretary

Date to be published in *The Wylie News* – March 16, 2011

## **Exhibit "A"**

### **WYLIE COMPREHENSIVE FEE SCHEDULE**

#### **I. WATER AND SEWER FEES.**

##### **B. Water Rates.**

- (1) The following monthly water rates shall apply to all domestic residential customers within the corporate limits of the City of Wylie, Texas. **ALL PRICES ARE FOR 1,000 GALLONS OF METERED WATER.**
  - (a) Monthly minimum charge for first 1,000 gallons of metered water consumption: ..... \$9.37
  - (b) Volume charge for all consumption exceeding 1,000 gallons:
    - 1,001 to 10,000 gallons: ..... \$3.15
    - Over 10,000 gallons: ..... \$4.09
- (2) The following monthly water rates shall apply to all domestic commercial customers, (other than apartments, mobile home parks and other multi-unit dwellings not individually metered) within the corporate limits of the City of Wylie, Texas:
  - (a) Monthly minimum charge for first 1,000 gallons of metered water consumption: ..... \$12.79
  - (b) Volume charge for all consumption exceeding 1,000 gallons: ..... \$3.58
- (3) The following water rates shall apply to all domestic apartments, mobile home parks, and other multi-unit dwellings, not individually metered, within the corporate limits of the City of Wylie, Texas:
  - (a) Monthly minimum charge for first 1,000 gallons of metered water ..... \$12.79
  - (b) Volume charge for all consumption exceeding 1,000 gallons ..... \$3.58
- (4) The following monthly water rates shall apply to all irrigation meters within the corporate limits of the City of Wylie, Texas:
  - (a) .... Monthly minimum charge for first 1,000 gallons of metered water:
    - (1) Residential irrigation ..... \$9.37
    - (2) Commercial & Multifamily ..... \$12.79
  - (b) Volume charge for all consumption exceeding 1,000 gallons:
    - (1) Residential irrigation ..... \$4.53
    - (2) Commercial irrigation..... \$4.53

- (5) The monthly water charge for any customers (residential, commercial, apartment, mobile home park, or other multi-unit dwelling not individually metered) located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.
- (6) Any bulk water customer who desires to withdraw water from a hydrant or other source not metered and charged directly to them, shall fill out a water application form and sign the form in the same manner as a regular metered customer. Bulk water rate charges are to be charged in twenty-five (25) gallon increments at the same rates as the commercial customers.

### **C. Sewage Collection and Treatment Rates.**

- (1) The following monthly sewage collection and treatment rates shall apply to all residential customers of the City of Wylie, Texas:
  - (a) Customers who are 65 years of age or older and have a homestead exemption on the service address which appears in the tax records..... \$20.95
  - (b) Customers who are disabled and have a homestead exemption on the service address which appears in the tax records..... \$20.95
  - (c) All other customers ..... \$28.31
- (2) The following monthly sewage collection and treatment rates shall apply to all commercial customers of the City of Wylie, Texas:
  - (a) Monthly minimum charge first 1,000 gallons of metered water..... \$22.63
  - (b) Volume charge for all consumption exceeding 1,000 gallons.....\$ 1.92
- (3) A sewer fee of twenty-nine dollars and sixty-nine cents (\$28.31) shall be charged for each apartment unit, multiple-family unit, or mobile home space and special areas such as washateria, swimming pools, etc., where the apartment, multiple-family development or mobile home park is on a master meter for water consumption with the City of Wylie, Texas.
- (4) The monthly sewer charge for any customers (residential, commercial, apartment, mobile home park, or other multi-unit dwelling not individually metered) located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.
- (5) The monthly water and sewer rate charge for residential and commercial customers located outside the corporate limits of the City of Wylie, Texas, shall be at the rate of one hundred fifteen percent (115%) of the rate charged customers inside the corporate limits of the City.

**Table 3.1**  
**Financing Scenarios - Water**  
*With \$3.5 Million Drawdown in FY 2012*

	Existing	Proposed	Planned	Planned	Planned
	2011	2011	2012	2013	2014
	(2)	(2)	(3)	(4)	(5)
1 Outside to Inside Ratio	1.15	1.15	1.15	1.15	1.15
<u>Monthly Minimum Bills:</u>					
2 Residential	\$ 8.90	\$ 9.37	\$ 9.86	\$ 10.38	\$ 10.92
3 Non-Residential	12.15	12.79	13.46	14.17	14.91
<u>Residential:</u>					
4 1,001 - 10,000	\$ 2.99	\$ 3.15	\$ 3.31	\$ 3.49	\$ 3.67
5 Over 10,000	3.89	4.09	4.31	4.54	4.77
<u>Non-Residential:</u>					
6 Over 1,000	\$ 3.40	\$ 3.58	\$ 3.77	\$ 3.96	\$ 4.17
<u>Sprinkler Meters:</u>					
7 Over 1,000	\$ 4.30	\$ 4.53	\$ 4.76	\$ 5.01	\$ 5.28
8 From Monthly Minimum Bill	\$ 1,191,758	\$ 1,254,325	\$ 1,339,107	\$ 1,429,333	\$ 1,525,342
9 From Volume Rates	3,766,117	3,963,838	4,218,197	4,488,335	4,775,215
10 <b>Total Revenues Generated</b>	<b>\$ 4,957,875</b>	<b>\$ 5,218,163</b>	<b>\$ 5,557,304</b>	<b>\$ 5,917,668</b>	<b>\$ 6,300,557</b>
11 Avg. Res. Mon. Bill @ 8,000 Gallons	\$ 29.83	\$ 31.40	\$ 33.04	\$ 34.78	\$ 36.61
12 Monthly Difference- \$	N/A	1.57	1.65	1.73	1.83
13 Monthly Difference- %	N/A	5.3%	5.3%	5.3%	5.2%
14 Avg. Commercial 1 Inch Mon. Bill @ 27,000 Gallons	\$ 100.55	\$ 105.83	\$ 111.38	\$ 117.23	\$ 123.39
15 Monthly Difference- \$	N/A	5.28	5.56	5.85	6.15
16 Monthly Difference- %	N/A	5.2%	5.3%	5.3%	5.2%
17 Avg. Sprinkler 2 Inch Mon. Bill @ 60,000 Gallons	\$ 265.85	\$ 279.81	\$ 294.50	\$ 309.96	\$ 326.23
18 Monthly Difference- \$	N/A	13.96	14.69	15.46	16.27
19 Monthly Difference- %	N/A	5.2%	5.3%	5.3%	5.2%
20 Avg. Industrial 3/4 Inch Mon. Bill @ 300,000 Gallons	\$ 1,028.75	\$ 1,082.76	\$ 1,139.60	\$ 1,199.43	\$ 1,262.40
21 Monthly Difference- \$	N/A	54.01	56.84	59.83	62.97
22 Monthly Difference- %	N/A	5.3%	5.2%	5.3%	5.2%

**Table 3.2**  
**Financing Scenarios - Wastewater**  
*With \$3.5 Million Drawdown in FY 2012*

	Existing	Proposed	Planned	Planned	Planned	Planned
	2011	2011	2012	2013	2014	2015
	(2)	(2)	(3)	(4)	(5)	(6)
1 Outside to Inside Ratio	-	-	-	-	-	-
<b>Monthly Minimum Bills:</b>						
2 Residential & Multi-Family Includes	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00
3 Residential	\$ 27.00	\$ 28.31	\$ 29.69	\$ 31.15	\$ 32.68	\$ 34.29
4 Multi-Family	27.00	28.31	29.69	31.15	32.68	34.29
5 Commercial	21.50	22.63	23.82	25.07	26.38	27.77
6 East Fork Residential	27.00	28.31	29.69	31.15	32.68	34.29
7 East Fork Seniors	20.00	20.95	21.94	22.99	24.09	25.25
8 East Fork Commercial	21.50	22.63	23.82	25.07	26.38	27.77
9 Northeast Residential	27.00	28.31	29.69	31.15	32.68	34.29
10 Northeast Seniors	20.00	20.95	21.94	22.99	24.09	25.25
11 Northeast Commercial	21.50	22.63	23.82	25.07	26.38	27.77
<b>Volumetric Rates:</b>						
12 Residential	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13 Multi-Family	-	-	-	-	-	-
14 Commercial	1.82	1.92	2.02	2.12	2.23	2.35
15 East Fork SUD Residential	-	-	-	-	-	-
16 East Fork SUD Seniors	-	-	-	-	-	-
17 East Fork SUD Commercial	1.57	1.65	1.74	1.83	1.93	2.03
18 Northeast SUD Residential	-	-	-	-	-	-
19 Northeast SUD Seniors	-	-	-	-	-	-
20 Northeast SUD Commercial	1.57	1.65	1.74	1.83	1.93	2.03
21 From Monthly Minimum Bill	\$ 4,128,722	\$ 4,345,480	\$ 4,640,083	\$ 4,953,642	\$ 5,287,336	\$ 5,642,414
22 From Volume Rates	248,068	261,091	274,799	289,225	304,410	320,391
23 <b>Total Revenues Generated</b>	<b>\$ 4,376,790</b>	<b>\$ 4,606,571</b>	<b>\$ 4,914,881</b>	<b>\$ 5,242,868</b>	<b>\$ 5,591,746</b>	<b>\$ 5,962,805</b>
24 <b>Change in Revenues-&gt;</b>		5.2%	5.3%	5.2%	5.3%	5.2%
25 Avg. Res. Mon. Bill @ 8,000 Gallons	\$ 27.00	\$ 28.31	\$ 29.69	\$ 31.15	\$ 32.68	\$ 34.29
26 Monthly Difference- \$	N/A	1.31	1.38	1.45	1.53	1.61
27 Monthly Difference- %	N/A	4.9%	4.9%	4.9%	4.9%	4.9%
28 Avg. Commercial 1 Inch Mon. Bill @ 27,000 Gallons	\$ 68.82	\$ 72.43	\$ 76.24	\$ 80.24	\$ 84.45	\$ 88.88
29 Monthly Difference- \$	N/A	3.61	3.80	4.00	4.21	4.43
30 Monthly Difference- %	N/A	5.3%	5.3%	5.3%	5.3%	5.2%
31 Avg. Industrial 3/4 Inch Mon. Bill @ 300,000 Gallons	\$ 565.68	\$ 595.38	\$ 626.64	\$ 659.53	\$ 694.16	\$ 730.60
32 Monthly Difference- \$	N/A	29.70	31.26	32.90	34.63	36.44
33 Monthly Difference- %	N/A	5.3%	5.2%	5.3%	5.3%	5.2%



# Wylie City Council

## AGENDA REPORT

**Meeting Date:** March 8, 2011  
**Department:** WEDC  
**Prepared By:** Sam Satterwhite  
**Date Prepared:** 2-23-11

**Item Number:** 1.  
*(City Secretary's Use Only)*  
**Account Code:** \_\_\_\_\_  
**Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** 3

### Subject

Consider, and act upon, Ordinance No. 2011-09 amending Ordinance No. 2010-17 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on January 21, 2011 for fiscal year 2010-2011.

### Recommendation

Motion to approve Ordinance No. 2011-09 amending Ordinance No. 2010-17 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on January 21, 2011 for fiscal year 2010-2011.


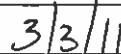
### Discussion

On November 22, 2010 WEDC staff received confirmation that funds had been wired to ANBTX from Ascend Custom Extrusions, LLC for the benefit of the WEDC. The fund amounts were \$500,000 and \$139,250 which were then deposited into the General Funds for the City of Wylie.

The \$139,250 is to pay 50% of the Holland acquisition cost (\$225,000), relocating Holland improvements (\$50,550), and estimated closing costs (\$3,000). The \$500,000, per the Commercial Lease Agreement, is to fund interim interest on the construction loan, loan closing costs, payment of the construction manager, and other expenses associated with the construction of the Building, but not funded out of the construction loan. The Commercial Lease calls for no less than \$300,000 to be paid down on the construction loan.

To properly account for these funds, a Budget Amendment must be approved to increase revenue in an amount equal to the wire deposits (\$639,250).

The second Budget Amendment will then deposit funds back into the Land account for 50% of the Holland acquisition with the remainder being placed into the newly created 'Building Account'. This Budget Amendment also takes into consideration the loan from American National Bank in the amount of \$4,920,939. While this will be an expense for the WEDC, it will not be considered revenue, but instead funds from other sources (loan).

Approved By	<i>Initial</i>	<i>Date</i>
<b>Department Director</b>	SS	2-23-11
<b>City Manager</b>		

**ORDINANCE NO. 2011-09**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING  
ORDINANCE NO. 2010-17, WHICH ESTABLISHED THE BUDGET  
FOR FISCAL YEAR 2010-2011; REPEALING ALL CONFLICTING  
ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council heretofore adopted Ordinance No. 2010-17 setting forth the Budget for Fiscal Year 2010-2011 beginning October 1, 2010, and ending September 30, 2011; and,

**WHEREAS**, the Wylie Economic Development Corporation (WEDC) routinely reviews their budget appropriations at mid-year to determine if any changes are necessary; and

**WHEREAS**, based upon said review the Wylie Economic Development Corporation staff now recommends that certain amendments to the Budget be considered by the City Council; and,

**WHEREAS**, the City Council has the authority to make amendments to the City Budget under Article VII, Section 4 of the City Charter, as well as State law; and,

**WHEREAS**, the City Council has determined that the proposed amendments to the FY 2010-2011 Budget, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WYLIE, TEXAS:**

**SECTION I:** The proposed amendments to the FY2010-2011 Budget of the City of Wylie, as heretofore adopted by Ordinance No. 2010-17, are, completely adopted and approved as amendments to the said FY2010-2011 Budget (Exhibit A).

**SECTION II:** All portions of the existing FY2010-2011 Budget and Ordinance No. 2010-17, except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

**SECTION III:** Should any paragraph, sentence, sub-division, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

**SECTION IV:** This ordinance shall be in full force and effect from and after its adoption by the City Council as the law and the City Charter provide in such cases.

**SECTION V:** That all other ordinances and code provisions in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other provisions of the Wylie City Code not in conflict herewith shall remain in full force and effect.

**SECTION VI:** The repeal of any ordinance, or parts thereof, by the enactment of the Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as affecting any rights of the municipality under any section or provision of any ordinances at the time of passage of this ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Wylie, Texas, this 8<sup>th</sup> day of March, 2011.

Mayor

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Eric Hogue,

ATTEST:

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Carole Ehrlich, City Secretary

Exhibit A  
**CITY OF WYLIE**  
**PROPOSED FY2011 BUDGET AMENDMENTS**  
**March 8, 2011**  
**Wylie Economic Development Fund Summary**

	<u>2010 - 2011 WEDC FUND BUDGET</u>	<u>PROPOSED WEDC FUND AMENDMENTS</u>	<u>WEDC FUND AMENDED BUDGET</u>
<b>REVENUES:</b>			
Sales Tax	1,299,056	-	1,299,056
Interest & Miscellaneous Income	<u>90,800</u>	<u>639,250</u>	<u>730,050</u>
<b>TOTAL REVENUES</b>	<u></u>	<u>639,250</u>	<u>2,029,106</u>
Transfers from Other Funds	-	-	-
Use of WEDC - Fund Balance	-	-	-
<b>EXPENDITURES:</b>			
Economic Development	2,106,765	5,560,189	7,666,954
Transfers to Other Funds	<u>-</u>	<u>-</u>	<u>-</u>
<b>TOTAL EXPENDITURES</b>	<u>2,106,765</u>	<u>5,560,189</u>	<u>7,666,954</u>

**REQUEST FORM - BUDGET REQUEST**

**FISCAL YEAR 2011**

RANK \_\_\_\_\_ OF \_\_\_\_\_ REQUEST: **Increase Expenditures**

DEPARTMENT: **WEDC**

New Request:

New personnel?

Salary Grade: \_\_\_\_\_

Funds already expensed or received?

**No**

Change Level of current personnel?

From:

To:

**PURPOSE/OBJECTIVE OF REQUEST:**

Increase expenditures based on new revenue receipts.

ACCOUNT NO.		DESCRIPTION	AMOUNT
111	5611	58110 Land	137,775
111	5611	58910 Buildings	5,422,414

<b>TOTAL</b>	<b>5,560,189</b>
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**ADDITIONAL COMMENTS:**

**REQUEST FORM - BUDGET REQUEST**

**FISCAL YEAR 2011**

RANK \_\_\_\_\_ OF \_\_\_\_\_ REQUEST: \_\_\_\_\_ Budget Amendment \_\_\_\_\_

DEPARTMENT: **WEDC** \_\_\_\_\_

New Request:

New personnel?

Salary Grade: \_\_\_\_\_

Funds already expensed or received?

☒ Yes

Change Level of current personnel? From: \_\_\_\_\_ To: \_\_\_\_\_

**PURPOSE/OBJECTIVE OF REQUEST: Increase Revenue**

ACCOUNT NO.		DESCRIPTION	AMOUNT
111	4000	48410 Miscellaneous Income	639,250

<b>TOTAL</b>	<b>639,250</b>
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**ADDITIONAL COMMENTS:**

Income received from Highlander Partners LP on behalf of Ascend Custom Extrusions LLC.